ORDINANCE NO. 91-4

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING PALM BEACH COUNTY ZONING CODE ORDINANCE 73-2, AS PREVIOUSLY AMENDED BY ORDINANCE 90-11, ORDINANCE 90-21; ESTABLISHING MEMBERSHIP TO THE PALM BEACH COUNTY BOARD OF ADJUSTMENT TO CONFORM WITH THE EXPANSION OF THE BOARD OF COUNTY COMMISSIONERS TO SEVEN (7) MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Palm Beach County, Florida to establish, coordinate and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners has previously created the Board of Adjustment pursuant to Section 403.1 of the Palm Beach County Zoning Code; and

WHEREAS, it is necessary to provide for a change in the appointment of members due to the increase from five (5) to seven (7) members on the Board of County Commissioners in November, 1990.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Section 403.1A. of the Palm Beach County Zoning Code is hereby amended as follows:

A. ESTABLISHMENT AND MEMBERSHIP.

There shall be a Board of Adjustment consisting of seven (7) members appointed by the Board of County Commissioners of Palm Beach County. ~~One (1) member of the Board of Adjustment shall be appointed from each of the five (5) County Commissioner's districts. The remaining two (2) members shall be appointed at large by majority vote of the County Commissioners.~~ <u>Each Commissioner of the Board of County Commissioners shall nominate one (1) person to serve on the Board of Adjustment. The nomination shall be subject to the confirmation of a majority vote of the Board of County Commissioners. All</u>

members of the Board of Adjustment must be residents of Palm Beach County, Florida. Members presently serving as "at large appointments" shall remain until the reconstitution of this Advisory Board pursuant to the provisions of this Ordinance.

SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon receipt of acknowledgement of the Secretary of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 22nd day of January, 1991.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Chair

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

_____
County Attorney

JOHN B. DUNKLE, CLERK
Board of County Commissioners
By _____
DEPUTY CLERK

Acknowledgement by the Department of State of the State of Florida, on this, the 30th day of January, 1991.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 5th day of February, 1991, at 11:55 A.M., and filed in the Office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, ex-officio Clerk of the Board of County Commissioners, certify this to be a true and correct copy of the original filed in my office on 2/22/91
DATED at West Palm Beach, Florida 2/6/91
JOHN B. DUNKLE, Clerk
By: _____ D.C.
Deputy Clerk